

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-02 SS-15 NSC-05 /051 W

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R 091520Z APR 75

FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 757

AMEMBASSY LONDON

AMEMBASSY PARIS

C O N F I D E N T I A L USBERLIN 688

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW

SUBJECT: PAN AM CLAIM AGAINST FRG FOR 1973 AIR

CONTROLLER SLOWDOWN

REF: BONN 5625

1. WE HAD NOT PREVIOUSLY HEARD OF PAN AM GAMBIT TO SEEK \$5.5 MILLION FROM FRG OFR LOSSES ALLEGED TO RESULT ON IGS FROM 1973 AIR CONTROLLER SLOWDOWN AND WOULD BE INTERESTED IN RECEIVING COPY OF PAN AM MEMORANDUM PRESENTED TO TRANSPORT MINISTRY. ON FIRST HEARING, HOWEVER, IT STRIKES US THAT THERE IS CONSIDERABLE MERIT IN TRANSPORT MINISTRY'S INITIAL POSITION THAT, TO EXTENT PAN AM CLAIM IS BASED ON ALLEGED FRG BREACH OF 1954 BONN SETTLEMENT CONVENTION, IT IS UNTENABLE SINCE FRG COMMITMENT ON BERLIN AVIATION IN THAT AGREEMENT IS TO USG NOT PRIVATE CARRIER. IF PRIVATE CARRIER BELIEVES IT WAS DISADVANTAGED BY INADEQUATE FULFILLMENT OF AGREEMENT, IT WOULD SEEM INCUMBENT UPON IT TO SEEK TO CONVINCE USG TO ESPOUSE GOVERNMENTAL CLAIM ON ITS BEHALF WITH FRG RATHER THAN TO PURSUE ITS OWN REMEDIAL ACTION WITH FRG.

2. WE WOULD BE SOMEWHAT SKEPTICAL OVER DESIRABILITY OF USG GETTING INTO THIS ONE WITH FRG. WHAT THE FRG  
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PROMISED IN 1954, OF COURSE, WAS TO UNDERTAKE "TO

FACILITATE AND ASSIST UNLIMITED AND UNIMPEDED PASSAGE,"  
NOT TO GUARANTEE IT AGAINST ALL EVENTUALITIES. QUESTION  
THUS IS PROBABLY NOT SO MUCH WHETHER THERE WAS SOME  
IMPAIRMENT OF AIR TRAFFIC BUT WHETHER FRG TOOK SUFFICIENT  
REMEDIAL STEPS TO PROVE ITS GOOD FAITH. AS WILL BE  
RECALLED, FRG WENT TO CONSIDERABLE LENGTHS TO GIVE IGS  
TRAFFIC PRIORITY DURING CONTROLER SLOWDOWN AND TO KEEP  
THREE BERLIN CORRIDORS OPERATIVE. USG NEVER INTIMATED AT  
TIME THAT IT CONSIDERED FRG WAS DERELICT IN ITS SETTLEMENT  
CONVENTION COMMITMENT. TO SUPPORT SUCH A CLAIM AT THIS  
POINT MIGHT WELL COST USG AND PAN AM MORE THAN \$5.5  
MILLION IN GOOD WILL AND COOPERATION THAT BOTH REQUIRE IN  
CONSIDERABLE MEASURE TO MAINTAIN EFFECTIVE BERLIN AVIATION  
REGIME. GEORGE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIR TRAFFIC, LITIGATION, LABOR STRIKES, COURTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** buchantr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975USBERL00688  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750124-0097  
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**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 75 BONN 5625  
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**Review Authority:** buchantr  
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**Review Date:** 20 MAY 2003  
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05 JUL 2006

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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PAN AM CLAIM AGAINST FRG FOR 1973 AIR CONTROLLER SLOWDOWN  
**TAGS:** PGOV, PFOR, WB, GE, PANAM  
**To:** BONN  
**Type:** TE  
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